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## **Proposals for Alternative Structures**

### **Consideration by State Board of Education: Requirements & Guidance in Act 46 of 2015**

#### **I. Overview**

##### *Proposals from Unmerged Districts*

A district that does not expect to merge voluntarily before July 1, 2019 is required to complete three tasks, pursuant to Act 46, Sec. 9:

- 1) Evaluate its ability to meet or exceed State goals set out in Act 46, Sec. 2;
- 2) Meet with other districts in the area to discuss ways promote improvement in the goals throughout the region; and
- 3) Submit a proposal to the Secretary and State Board, individually or with other districts, to maintain the current governance structure, to work with other districts in some way other than merger, or to work with other districts to form a different governance structure.

Each proposal from an unmerged district or group of districts will likely be a proposal to form an “Alternative Structure” as envisioned by Secs. 5(c), 8(b), and 10(a)-(b).

##### *Secretary’s Proposal*

Act 46, Sec. 10 requires the Secretary of Education to develop a *proposal* to realign districts into more sustainable models of governance to meet the goals set out in Sec. 2. The Secretary will develop the proposal based on information gleaned from the three phases of voluntary mergers, from proposals from unmerged districts, and from other resources. The Secretary will propose changes to the extent necessary and in a manner that is possible and practicable for the region. The Secretary will post the proposal on the Agency’s website and present it to the State Board of Education by June 1, 2018.

##### *State Board’s Final Statewide Governance Plan*

Act 46, Sec. 10 requires the State Board to issue a final statewide governance plan by November 30, 2018 that *requires* the merger and realignment of districts and supervisory unions where necessary -- for the same purposes and under the same criteria that govern the Secretary’s proposal. The State Board is directed to review the Secretary’s proposal and is authorized to take testimony and request additional information from districts and supervisory unions. Section 10 does not apply to unified union school districts created through the voluntary merger processes, CTE districts, and interstate school districts. In addition, the State Board cannot require a district to change its current operating/tuitioning structure.

## II. Proposals from an Unmerged District or Group of Districts for an Alternative Structure

As part of their respective duties to develop the statewide plan, Act 46, Sec. 10 requires the Secretary and State Board to consider the proposals submitted under Sec. 9 by an unmerged district or group of districts.

Act 46 recognizes that it will not always be “possible or practicable” to create a supervisory district with a minimum ADM of 900. The Act provides the following requirements and general guidance for reviewing the proposals and including a supervisory union with member districts – an “alternative structure” – within the statewide plan.

### *Self-Evaluation [Sec. 9(a)(1)]*

The board of each non-merging school district included within the proposal has evaluated its *current ability to meet or exceed each of the goals* (“the Goals”) set forth in *Sec. 2*, which are:

to encourage ... local decisions and actions that:

- (1) provide substantial equity in the quality and variety of educational opportunities statewide;
- (2) lead students to achieve or exceed the State’s Education Quality Standards, adopted as rules by the State Board of Education at the direction of the General Assembly;
- (3) maximize operational efficiencies through increased flexibility to manage, share, and transfer resources, with a goal of increasing the district-level ratio of students to full-time equivalent staff;
- (4) promote transparency and accountability; and
- (5) are delivered at a cost that parents, voters, and taxpayers value.

### *Meetings [Sec. 9(a)(2)]*

The board of each school district included within the proposal has met with the boards of one or more other districts (contiguity not required), including board representing districts that have similar patterns of school operation and tuition payment, to discuss *ways to promote improvement throughout the region in connection with the Goals*.

### *Proposal from a District or Group of Districts [Sec. 9(a)(3)]*

#### 1) Requirements:

- a) The proposal demonstrates that a unified union school district that is its own supervisory district is not possible *or* is not the best model to achieve the Goals in that region of the State. *[Secs. 5(c) and 10]*
- b) The proposal is designed to provide educational opportunities through a sustainable governance structure that can meet each of the Goals. *[Sec. 10(a)]*
- c) The proposal is the best means of meeting the Goals in the particular region. *[Sec. 8(b)(1)]*

- d) The proposal ensures transparency and accountability:
  - i) for the member districts of the supervisory union in which the district or districts will be placed *and*
  - ii) for the public at large,
    - (1) *including* transparency and accountability in relation to the supervisory union budget, which may include a process by which the electorate votes directly whether to approve the proposed supervisory union budget.
- [Sec. 8(b)(2)]
- e) The proposal demonstrates how it supports the district's or districts' ability to meet or exceed each of the Goals, through reference to:
  - i) enrollment projections,
  - ii) student-to-staff ratios,
  - iii) the comprehensive data collected pursuant to 16 V.S.A. § 165, and
  - iv) otherwise. [Sec. 9(3)(B)]
- f) The proposal identifies detailed actions it proposes to take to continue to improve its performance in connection with each of the Goals [Sec. 9(3)(C)]
- g) Any related SU assignment or reassignment affords increased efficiency or greater convenience and economy and facilitates prekindergarten through grade 12 curriculum planning and coordination. [16 VSA 261(a)]

2) Considerations regarding the SU in which the District(s) will be placed:

- a) The member districts consider themselves to be collectively responsible for the education of all prekindergarten through grade 12 students residing in the supervisory union. [Sec. 5(c)(1)]
- b) The supervisory union operates in a manner that maximizes efficiencies through economies of scale and the flexible management, transfer, and sharing of nonfinancial resources among the member districts; [Sec. 5(c)(2)]
- c) The supervisory union has the smallest number of member school districts practicable, achieved wherever possible by the merger of districts with similar operating and tuitioning patterns. [Sec. 5(c)(3)]
- d) The combined average daily membership of all member districts is not less than 1,100. [Sec. 5(c)(4)]

3) Other General Considerations:

The proposal does not result in another district in the region being geographically isolated from one or more other districts that have similar operating structures, including the potential isolation of a district with low fiscal capacity or with a high percentage of students from economically deprived backgrounds as identified in 16 V.S.A. § 4010(d). [Sec. 8(a)(2) – *requirement for creation of a unified union school district*]